

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al.*,

Plaintiffs,

v.

RICK PERRY, *et al.*,

Defendants.

Civil Action No. 2:13-cv-193 (NGR)

UNITED STATES OF AMERICA,

Plaintiff,

TEXAS LEAGUE OF YOUNG VOTERS  
EDUCATION FUND, *et al.*,

Plaintiff-Intervenors,

TEXAS ASSOCIATION OF HISPANIC  
COUNTY JUDGES AND COUNTY  
COMMISSIONERS, *et al.*,

Plaintiff-Intervenors,

v.

STATE OF TEXAS, *et al.*,

Defendants.

Civil Action No. 2:13-cv-263 (NGR)

TEXAS STATE CONFERENCE OF NAACP  
BRANCHES, *et al.*,

Plaintiffs,

v.

NANDITA BERRY, *et al.*,

Defendants.

Civil Action No. 2:13-cv-291 (NGR)

BELINDA ORTIZ, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants.

Civil Action No. 2:13-cv-348 (NGR)

**FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS OF PLAINTIFF-  
INTERVENORS THE TEXAS LEAGUE OF YOUNG VOTERS EDUCATION FUND,  
IMANI CLARK, AURICA WASHINGTON,  
CRYSTAL OWENS, AND MICHELLE BESSIAKE**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure (the “Rules”), Plaintiff-Intervenors the Texas League of Young Voters Education Fund, Imani Clark, Aurica Washington, Crystal Owens, and Michelle Bessiake request that Defendants the State of Texas, Nandita Berry, and Steve McCraw (“Defendants”) identify and produce all documents and items responsive to the following Requests for Production (“Requests”) to Ryan P. Haygood, NAACP Legal Defense & Educational Fund, Inc., 40 Rector Street, 5th Floor, New York, NY 10006-1738, on or before February 23, 2014, as required under Rule 34(b)(2)(A), or any lesser time ordered by the Court or agreed to by the parties.

These Requests are continuing in nature as provided in Rule 26(e).

**INSTRUCTIONS AND DEFINITIONS**

1. “Defendants” means Defendants State of Texas (the “State” or “Texas”), Nandita Berry, in her official capacity as Secretary of State of Texas, and Steve McCraw, in his official capacity as Director of the Department of Public Safety (“DPS”), and any of their past and present agents, advisors, employees, representatives, attorneys, consultants, contractors, or other persons or entities acting on behalf of Defendants or subject to Defendants’ control.

2. “SB 14” means 2011 Texas General Laws Chapter 123, which amends the Texas Transportation Code relating to the issuance of Election Identification Certificates (“EICs”), and which amends the Texas Election Code relating to procedures for implementing the photographic identification requirements for voting in the State of Texas.

3. “Document” is defined to be synonymous in meaning and scope as the term “document” is used under Federal Rule of Civil Procedure 34 and the phrase “writings and recordings” is defined in Federal Rule of Evidence 1001, and includes, but is not limited to, any computer discs, tapes, printouts and emails, and databases, and any handwritten, typewritten, printed, electronically-recorded, taped, graphic, machine-readable, or other material, of whatever nature and in whatever form, including all non-identical copies and drafts thereof, and all copies bearing any notation or mark not found on the original.

4. In construing these Requests, apply the broadest construction, so as to produce the most comprehensive response. Construe the terms “and” and “or” either disjunctively or conjunctively as necessary to bring within the scope of the Request all responses that might otherwise be construed to be outside that scope. Words used in the masculine gender include the feminine, and words used in the singular include the plural.

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5. These Requests apply to the period from January 1, 2007, through the present unless otherwise limited or expanded by a particular Request.

### **REQUESTS FOR PRODUCTION**

1. All documents, items, databases, writings, recordings, and other materials responsive to the United States' First Set of Requests for Production of Documents propounded on Defendants on November 26, 2013.

2. All documents, items, databases, writings, recordings, and other materials responsive to the United States' Amended Second Set of Requests for Production of Documents propounded on Defendants on December 16, 2013.

3. All documents, items, databases, writings, recordings, and other materials responsive to the Texas State Conference of NAACP Branches and the Mexican American Legislative Caucus's Requests for Production of Documents propounded on Defendants on January 2, 2014.

4. All documents establishing the locations of all Texas DPS offices, including, but not limited to, agency offices, driver license offices, mega centers, and mobile centers (collectively, "DPS offices").

5. All documents establishing which services are offered at each DPS office, including, but not limited to, documents sufficient to show:

a. Which particular DPS-issued identification cards—including, but not limited to, Texas driver licenses, non-driver identification cards, concealed handgun licenses, or EICs (collectively, "DPS-issued identification cards")—are issued at each office;

b. The days of the week and hours of operation during which each office is open for the purposes of receiving applications and/or issuing one or more DPS-issued identification card;

c. The number of full- and part-time staff employed at each office who are responsible for issuing DPS-issued identification cards; which DPS-issued identification cards those staff members are responsible for processing and/or issuing; and the hours of the day during which such staff members are assigned to receive applications for, process, and/or issue DPS-issued identification cards;

d. Any and all other limitations on services offered at each office with respect to the application, issuance, or completion of necessary prerequisites to the issuance of DPS-issued identification cards (e.g., offices that are able to issue driver licenses, but do not conduct on-site driver license tests; offices that are able to receive applications for EICs, but do not issue EICs; offices that issue initial driver licenses, but do not process driver license renewals, etc.);

e. Plans (whether under current consideration, soon-to-be implemented, or currently being implemented) to increase or to reduce the days of the week or hours of operation during which an office receives applications for or issues a DPS-issued identification card, including the reasons for the increase or reduction, the particular DPS offices affected, and how each DPS office would be affected.

f. Plans (whether under current consideration, soon-to-be implemented, or currently being implemented) to increase or to reduce the budgets or other material resources (including staff) for DPS offices, including the reasons for the increase or

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reduction, the particular DPS offices affected, and how each DPS office would be affected; and

g. Plans (whether under current consideration, soon-to-be implemented, or currently being implemented) to increase or reduce any services offered at each office, including the reasons for the increase or reduction in services, the particular DPS offices affected, and how each DPS office would be affected.

6. All training materials (including, but not limited to, policy manuals, directives, memoranda, presentations, or websites), whether in complete or draft form created on any date after June 2013, that will be provided to DPS office workers pertaining to applications, issuance, or information to be given to patrons regarding DPS-issued identification cards.

7. For registered voters who do not present a valid form of identification listed under SB 14 when attempting to vote in-person, and, as a result, are required to either execute a temporary affidavit due to religious reservations or natural disasters (“temporary affidavits”) or to vote by provisional ballot, provide all documents sufficient to show:

a. All locations, including, but not limited to, county offices, city halls, election offices, and/or court houses where identification required by SB 14 may be presented by voters within six calendar days of the casting of a provisional ballot to have the ballot counted;

b. The regular hours of operation for such locations (and, if different from the regular hours, the hours of operation of each such location six calendar days after an election day, for the purposes of having the already-cast provisional ballot counted);

c. The number of full- and part-time staff employed at each such location (and, if different from the regular staffing, the number of full- and part-time staff at each such location in the six calendar days after the date of an election);

d. All studies, investigations, presentations, or analyses conducted regarding access to services of individuals who go to such locations to present identification required by SB 14 after casting provisional ballots or to execute a temporary affidavit (e.g., documents related to wait times, geographic regions served by each location, which provisional ballots were or were not counted and the underlying reasons, etc.);

e. Plans (whether under current consideration, soon-to-be implemented, or currently being implemented) to increase or to reduce the number of such locations, including the reasons for the increase or reduction, any analyses reflecting how and why these decisions were reached, and the effective dates (or anticipated effective dates) for such increases or reductions; and,

f. Plans (whether under current consideration, soon-to-be implemented, or currently being implemented) to increase or to reduce the operating hours of any such location, including the reasons for the increase or reduction in the operating hours, any analyses reflecting how and why these decisions were reached, and the effective dates (or anticipated effective dates) for such increases or reductions.

8. All documents pertaining to identification cards issued to students by institutions of higher education located in the State of Texas, including, but not limited to:

a. Policy manuals, directives, memoranda, and/or other documents regarding the issuance of student identification cards by or for public institutions of higher education;

b. All documents associated with any list, analysis or study performed by the State of Texas regarding the use and enjoyment of student identification cards by students as satisfactory proof of identity for the purposes of receiving any government goods or services, school goods or services, and non-school goods or services (e.g., as identification for purposes of accessing otherwise secure records, benefits, facilities, or activities); and

c. All documents associated with any studies, investigations, presentations, or analyses regarding student identification cards used for voting purposes performed by, requested by, or presented to the Texas State Legislature during the 81st, 82nd, 83rd, or 84th regular and special legislative sessions.

Respectfully submitted this 24th day of January 2014.

s/ Natasha M. Korgaonkar

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\*Pro Hac Vice Motion forthcoming



**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2014, I served a true and correct copy of the foregoing via electronic mail on the following counsel of record:

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